

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 8.5 Consumer Products

Article 1. Antiperspirants and Deodorants

§ 94506.5. Federal Enforceability.

For purposes of federal enforceability of this article, the Environmental Protection Agency is not subject to approval determinations made by the Executive Officer under Section 94503.5, 94505, or 94506. Within 180 days of a request from a person who has been granted an exemption or variance under Section 94503.5 or 94505, an exemption or variance meeting the requirements of the Clean Air Act shall be submitted by the Executive Officer to the Environmental Protection Agency for inclusion in the applicable implementation plan approved or promulgated by the Environmental Protection Agency pursuant to Section 110 of the Clean Air Act, 42 U.S.C., Section 7410. Prior to submitting an exemption granted under Section 94503.5 as a revision to the applicable implementation plan, the Executive Officer shall hold a public hearing on the proposed exemption. Notice of the time and place of the hearing shall be sent to the applicant by certified mail not less than 30 days prior to the hearing. Notice of the hearing shall also be submitted for publication in the California Regulatory Notice Register and sent to the Environmental Protection Agency, every person who requests such notice, and to any person or group of persons whom the Executive Officer believes may be interested in the application. Within 30 days of the hearing the Executive Officer shall notify the applicant of the decision in writing as provided in Section 94503.5(f). The decision may approve, disapprove, or modify an exemption previously granted pursuant to Section 94503.5.

NOTE: Authority cited: Sections 39600, 39601, 39602 and 41712, Health and Safety Code. Reference: Sections 39002, 39600, 39602, 40000 and 41712, Health and Safety Code.

REFERENCE